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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of

Telephone Number Portability

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CC Docket No. 95-116

To: Chief, Wireless Telecommunications Bureau

COMMENTS OF
THE RURAL TELECOMMUNICATIONS GROUP

The Rural Telecommunications Group ("RTG"), by its attorneys, hereby respectfully submits these comments in response to the *Petition for Extension of Implementation Deadlines* ("Petition") associated with the above-captioned proceeding filed by the Cellular Telecommunications Industry Association ("CTIA"). RTG supports CTIA's contention that the Commercial Mobile Radio Service ("CMRS") industry will not be capable of supporting number portability by June 30, 1999, and agrees that the Wireless Telecommunications Bureau ("WTB") must exercise its delegated authority to extend the CMRS number portability compliance deadline to March 31, 2000.

I. STATEMENT OF INTEREST

RTG is an organized group of rural telephone companies who have joined together to promote the efforts of all rural telephone companies to speed the delivery of new, efficient and innovative telecommunications technologies to the populations of remote and underserved parts of the country. RTG's members are both CMRS licensees and CMRS applicants, and therefore

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are among those required to share the technical and financial burden of implementing number portability.¹

II. DISCUSSION

CTIA effectively represents wireless carriers in its Petition and supporting declaration by providing a comprehensive assessment of the state of the industry with regard to the implementation of service provider number portability. CTIA's request for an extended compliance deadline is one of necessity, not convenience, and the technological advances that the industry has made toward making CMRS number portability a reality bear witness to that fact.

Number portability will soon be a nationwide norm that consumers will simply expect as part of any telecommunications service to which they subscribe. In fact, number portability *must* emerge if the competitive marketplace that Congress, the Federal Communications Commission ("FCC" or "Commission") and the industry are aggressively striving to develop is to take root and thrive. However, the measured pace at which number portability should arrive in the marketplace is key to its functionality and success.

¹ Although the Commission requires that *all* CMRS licensees have the ability to query number portability databases by December 31, 1998, the Commission currently only requires that service provider portability be deployed *in the largest 100 MSAs* by June 30, 1999. See *Telephone Number Portability*, First Memorandum Opinion and Order on Reconsideration CC Docket No. 95-116, 12 FCC Rcd 7236 (1997) ("*First Memorandum Opinion and Order*"). Even though rural CMRS carriers are not required to implement service provider portability, every rural CMRS carrier will have to upgrade its system(s) to support roaming of ported subscribers by distinguishing between the Mobile Identification Number ("MIN") and the Mobile Directory Number ("MDN") in order for roaming to occur outside the top 100 MSAs. Thus, even though the service provider portability requirement only applies to the top 100 MSAs, it affectively applies to *all* CMRS licensees.

CTIA explains that:

[e]ven before the release of the *First Report and Order* the wireless industry was taking steps to solve the unique difficulties CMRS providers face in implementing number portability. Consistent with the *First Report and Order*, industry working groups had set June 30, 1999 as their deadline. The process, however, has proven more complex than originally anticipated.²

The “process” involves splitting the MIN from the MDN so that CMRS providers can provide nationwide roaming in a number portability environment. Inherent in the process is the need for carriers to modify their calling networks and their customer service/back office support systems to recognize and accommodate two different numbers where there used to be one. While the industry has the blueprint of what it needs to develop, it has not yet devised and tested the standards that will ensure that number portability is a ubiquitous, consistent and reliable function associated with CMRS communications. Without a standard, it would be a tremendous waste of time and money for carriers to attempt to make modifications that would undoubtedly be temporary.

The industry experts involved in the development of the standard have stated that it cannot be properly created and tested by the current June 30, 1999 deadline. To require the industry to do less than its carefully measured best in implementing a standard simply for the purpose of meeting a deadline that the WTB has the authority to change would be foolhardy. In this case, haste makes waste. The number portability standard that will emerge from the research, development and testing that is currently underway will eventually become an essential and indispensable element in the provision of telecommunications service by every carrier in this

² Petition of CTIA at 3 [footnotes omitted].

country. It will also play a major role in the ability of CMRS providers to offer Calling Party Pays should CMRS providers determine that this is a worthwhile endeavor.³

RTG appreciates the Commission's eagerness to benefit the consumer with a constant flow of new and better services. It is incumbent upon the Commission, however, to ensure that the telecommunications services that will eventually implement number portability are able to enter the market, complete their system build-out, and commence sustainable operations. Licensees in the process of developing new systems must be permitted to continue focusing their capital and resources on the speedy build-out of those systems. The Commission has the authority to delay the implementation deadlines for nine months and has indicated that a stay of the implementation deadlines may be warranted.⁴ RTG believes that CTIA has adequately supported the need for a nine month delay and that the FCC should grant CTIA's petition. RTG also believes that the Commission may wish to consider exercising its authority under Section 10 of the Communications Act of 1934, as amended, to forbear from imposing service provider number portability requirements on all CMRS providers, insofar as any deadline imposed prior to the completion of the newly licensed Personal Communications Service ("PCS") and Specialized Mobile Radio ("SMR") systems now being developed would impose unnecessarily premature regulatory burdens on the operators of such systems, and thereby be detrimental to the competitive expansion of the CMRS industry.

³ As discussed in its comments filed on December 16, 1997, in Docket No. 97-207, RTG opposes the adoption of mandatory Calling Party Pays.

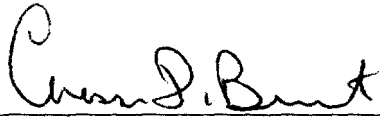
⁴ *Telephone Number Portability*, First Report and Order and Further Notice of Proposed Rule Making in CC Docket No. 95-116, 11 FCC Rcd 8352 at ¶ 162 (1996) ("*First Report and Order*"); First Memorandum Opinion and Order at ¶ 134.

III. CONCLUSION

For the foregoing reasons, RTG respectfully requests that the WTB grant CTIA's petition and extend the date for CMRS service provider portability to March 31, 2000.

Respectfully submitted,

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